

"(3) ANNUAL REPORT.—The program administrator of each State shall issue an annual report summarizing the program evaluation under paragraph (1). The report shall be signed by each member of the citizens oversight committee of the State and shall be submitted to the Secretary.

"(4) FEDERAL ADVISORY COMMITTEE ACT.—The requirements of sections 9, 10(a)(2), 10(e), 10(f), and 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to a citizens oversight committee established under this subsection.

"(5) NOTICE.—A citizens oversight committee shall provide adequate public notice before conducting a meeting under this section, including notification in the official State journal.

"(m) FUNDING.—

"(1) FUNDING PRIORITY.—The Secretary shall give priority to a waterways restoration project under this section in making funding decisions under this Act.

"(2) TRANSFERRED FUNDS.—The Secretary may accept the transfer of funds from other Federal departments and agencies to carry out this section.

"(3) APPLICABILITY OF REQUIREMENTS.—Funds made available to carry out this section, and financial assistance provided with the funds, shall be subject to this section and, to the extent the requirements are consistent with this section, other provisions of this Act."

By Mr. HATCH (for himself, Mr. THURMOND, Mr. LEAHY, Mr. MOYNIHAN, and Mr. GRAHAM):

S. 627. A bill to require the general application of the antitrust laws to major league baseball, and for other purposes; to the Committee on the Judiciary.

MAJOR LEAGUE BASEBALL ANTITRUST REFORM ACT

Mr. HATCH. Mr. President, up until now those of us who have supported reforming the application of the antitrust laws to baseball have been divided between competing approaches. I, together with Senators MOYNIHAN, GRAHAM, and others, introduced S. 415. Senator THURMOND, together with Senator LEAHY, introduced S. 416.

I am pleased to introduce today a bill that brings together these competing approaches and that has the consolidated support of Senator THURMOND, Senator LEAHY, Senator MOYNIHAN, and Senator GRAHAM. We believe that this bill will bring about sound reforms that ensure that baseball is treated fairly and properly under the antitrust laws. We believe that in the long run our bill will contribute to constructive labor relations between the players and the owners. We believe that the reforms proposed by this bill are worth making even apart from the existence of the ongoing dispute between baseball owners and players.

Let me emphasize that our bill would not impose a big-government solution to the current dispute between the owners and the players. On the contrary, it would get government out of the way by eliminating a serious government-made obstacle to settlement.

Seventy-three years ago, the Supreme Court ruled that professional

baseball is not a business in interstate commerce and is therefore immune from the reach of the federal antitrust laws. This ruling was almost certainly wrong when it was first rendered in 1922. Fifty years later, in 1972, when the Supreme Court readdressed this question, the limited concept of interstate commerce on which the 1922 ruling rested had long since been shattered. The Court in 1972 accurately noted that baseball's antitrust immunity was an "aberration" that no other sport or industry enjoyed. But it left it to Congress to correct the Court's error.

A limited repeal of this antitrust immunity is now in order. Labor negotiations between owners and players are impeded by the fact that baseball players, unlike all other workers, have no resort under the law if the baseball owners act in a manner that would, in the absence of the immunity, violate the antitrust laws. This aberration in the antitrust laws has handed the owners a huge club that gives them unique leverage in bargaining and discourages them from accepting reasonable terms. This is an aberration that Government has created, and it is an aberration that Government should fix.

The legislation that I am introducing would provide for a limited repeal of professional baseball's antitrust immunity. This repeal would not affect the two matters that owners say that the immunity legitimately protects: Namely, franchise relocation rules, and the minor leagues. Under our bill, major league baseball's ability to control franchise relocation and to deal with the minor leagues would remain unchanged. Our bill also would not affect any other sport or business.

I urge my colleagues in the Senate and the House to support this legislation.

Mr. THURMOND. Mr. President, I rise today in support of the Major League Baseball Antitrust Reform Act of 1995, which I am cosponsoring with Senator HATCH, Senator LEAHY, and others. Our legislation would repeal the antitrust exemption which shields major league baseball from the antitrust laws that apply to all other sports and unregulated businesses in our Nation. This bill is a result of discussions between myself and Senators HATCH and LEAHY following the recent hearing which I chaired on this important issue. I am particularly pleased that this legislation focuses on the ongoing policy issues relating to baseball's special antitrust exemption.

The Hatch-Thurmond-Leahy legislation eliminates baseball's antitrust exemption, with certain exceptions, and is based on S. 416, the Major League Baseball Antitrust Reform Act, which Senator LEAHY and I introduced on February 14, 1995. One substantive change has been made to include a provision relating to franchise relocation, in order to address concerns raised by some about the practical effect of ending baseball's antitrust exemption. As I have previously stated, however, it is

my belief that it may be worthwhile reviewing the franchise relocation issue as it relates to all professional sports.

The Hatch-Thurmond-Leahy legislation would also maintain the status quo for the minor leagues. It is important to protect the existing minor league relationships in order to avoid disruption of the more than 170 minor league teams which exist throughout our Nation. The Hatch-Thurmond-Leahy bill also makes clear that it does not override the provisions of the Sports Broadcast Act of 1961, which permits leaguewide contracts with television networks.

Our bill is not specially drafted in an attempt to resolve the baseball's current labor dispute. The legislation does not affect the so-called nonstatutory labor exemption, which shields employers from the antitrust laws when they are involved in collective bargaining with a union. Removing the antitrust exemption will not automatically resolve baseball's problems, but I believe it will move baseball in the right direction.

I noted earlier that as the chairman of the Senate Judiciary Committee's Antitrust, Business Rights, and Competition Subcommittee, I held a hearing on baseball's antitrust exemption on February 15, 1995. At the hearing, the subcommittee heard from both players and owners on whether the exemption helps or hurts the sport, and what effect repeal would have on labor relations and other issues. The subcommittee very directly told the owners and players that it is up to them to resolve their differences quickly and play ball for the sake of the American public.

Mr. President, I do not believe that the Congress should interfere in baseball's ongoing labor dispute. But it is my belief that the Congress should repeal the Court imposed antitrust exemption and restore baseball to the same level playing field as other professional sports and unregulated businesses. By removing the antitrust exemption, the players and owners will have one less distraction from their negotiations, and the Congress will no longer be intertwined in baseball's special antitrust exemption.

By Mr. KYL (for himself and Mr. HELMS):

S. 628. A bill to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers; to the Committee on Finance.

FAMILY HERITAGE PRESERVATION ACT

Mr. KYL. Mr. President, I rise today with my colleague from North Carolina, Senator HELMS, to introduce the Family Heritage Preservation Act, a bill to repeal Federal estate and gift taxes, and the tax on generation-skipping transfers. A companion bill, H.R. 784, was introduced in the House of Representatives last month by Congressman CHRIS COX of California.

The Federal estate tax is one of the most wasteful and unfair taxes currently on the books. It penalizes people for a lifetime of hard work, savings, and investment. It hurts small business and threatens jobs. It causes people to spend time, energy, and money finding ways to avoid the tax—by setting up trusts and other devices—when they could otherwise devote those resources to more productive economic uses.

The estate tax is particularly onerous for small family businesses. According to a 1993 survey by Prince & Associates—a Stratford, CT, research and consulting firm—9 out of 10 family businesses that failed within 3 years of the principal owner's death said that trouble paying estate taxes contributed to their companies' demise.

That is a travesty. As if the Federal Government didn't tax enough during life, it has to prey upon people and their grieving families ever after death. As a constituent of mine, Pearle Wisotsky Marr, wrote in a recent letter to me:

Since my father died, our lives have been a nightmare of lawyers and trust companies with the common theme, 'you have to protect the family business.' It was hard enough trying to recuperate after my father's long illness, and then adjusting to the reality he was gone.

That's wrong, and it's economically destructive. The Marr family built up a small business from just one employee 35 years ago to 200 employees today. Creating badly needed jobs in the community is not something for which the Marr family should be penalized. It's something that should be encouraged.

A study published by the Institute for Research on the Economics of Taxation [IRET] looked at how the Nation's economy would have performed had the transfer taxes been repealed in 1971. The simulation showed that, by 1991, the gross domestic product [GDP] would have been \$46.3 billion higher, there would have been 262,000 more full-time equivalent jobs, and the stock of capital would have been \$398.6 billion greater than the respective actual amounts in that year.

The report went on to project that if the transfer taxes were repealed in 1993, the nation would experience significant economic benefits by the year 2000. "GDP would be \$79.22 billion greater, 228,000 more people would be employed, and the amount of accumulated saving and capital would be \$630 billion larger than projected under present law."

These taxes have an impact on Americans of all income levels. As noted in the IRET's report, "by discouraging private saving and capital formation, these taxes depress labor productivity and real income. Transfer taxes, thus, impede labor's upward mobility."

Mr. President, I invite my colleagues to join me in cosponsoring the Family Heritage Preservation Act. I ask that the text of the bill be reprinted in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 628

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Family Heritage Preservation Act".

SEC. 2. FINDINGS.

Congress finds that:

(1) Hard working American men and women spend a lifetime saving to provide for their children and grandchildren, paying taxes all the while. Throughout their lives, they pay taxes on the income and gains from their labor and their investment. Because of the heavy burden of income taxes, property taxes, and other levies, it is enormously difficult to accumulate savings for a family's future. Worst of all, when the purpose of that hard earned saving is about to be achieved, families discover that between 37 percent and 55 percent of their after-tax savings is confiscated by Federal inheritance taxes.

(2) These transfer, estate, and gift taxes punish lifelong habits of thrift; they discourage entrepreneurship; they penalize families; and they have a negative effect on other tax revenue sources.

(3) These taxes raise almost no material revenue for the Federal Government. In fiscal year 1994, they produced only 1 percent of total Federal revenues.

(4) The waste and economic inefficiency caused by inheritance taxes is well known. American families employ legions of tax accountants and lawyers each year to set up trusts and other prolix devices designed to avoid these onerous levies. The make-work imposed upon the economy comprises billions of dollars.

(5) In order to pay these excessive taxes, many small businesses must liquidate all or part of their assets. By causing business closures, these taxes constrict business activity, increase unemployment, and reduce tax revenues to the Federal Government.

(6) Independent analyses indicate that, were these onerous taxes repealed, the Nation's GDP, Federal and State tax revenues, employment base, and capital formation would increase substantially. According to one such survey, repealing these taxes would increase GDP by \$79,220,000,000, create 228,000 new jobs, and increase savings by \$630,000,000,000 by the end of the century.

(7) Repealing these taxes will ensure economic fairness for all American families and businesses, as well as economic growth and prosperity for the Nation as a whole.

SEC. 3. REPEAL OF FEDERAL TRANSFER TAXES.

(a) **GENERAL RULE.**—Subtitle B of the Internal Revenue Code of 1986 is hereby repealed.

(b) **EFFECTIVE DATE.**—The repeal made by subsection (a) shall apply to the estates of decedents dying, and gifts and generation-skipping transfers made, after the date of the enactment of this Act.

By Mr. THOMAS (for himself, Mr. SIMPSON, and Mr. PRESSLER):

S. 629. A bill to provide that no action be taken under the National Environmental Policy Act of 1969 for a renewal of a permit for grazing on National Forest System lands; to the Committee on Environment and Public Works.

GRAZING PERMIT RENEWAL LEGISLATION

Mr. THOMAS. Mr. President, I rise today to introduce legislation that is

of very significant importance to the farmers and ranchers in my State of Wyoming and throughout the West.

Let me preface by saying that Wyoming is more than 50 percent owned by the Federal Government. That includes BLM lands and includes forest lands and park lands, of course. So the decisions made by public land managers is very important to us.

Recent decisions by the court have indicated that the U.S. Forest Service and perhaps the BLM, as well, must now complete environmental impact statements on all term grazing permits that expire on December 31 of this year.

As most of you know, much of the land in these western States is intermingled private land, Federal land, State land. So that in order to put together an economic unit of livestock, there is private land, generally, with the water, and winter feeding, and summer grazing is quite often on Federal land. And these ranchers graze there with a permit based on animal unit months and they are 10-year permits generally.

Under this new environmental assessment, the review must be done under NEPA regulations. This is in addition to the environmental assessments that are already made on the forest plan. Each 10 years, each forest goes through a plan. They talk about grazing, they talk about mining, they talk about oil and gas, and other uses of these various lands.

The problem now is that, in addition to that already done evaluation on grazing, the courts at least have implied that there has to be this new environmental assessment on each of these grazing leases.

There are approximately 4,500 Forest Service grazing leases that expire at the end of this year. There are nearly 200 of those in Wyoming.

The problem is twofold. The first part of the problem, which I think has to do with what we are talking about here, is that we already have a mechanism for taking a look at the impact of grazing on forests. We do this in a very extensive process every 10 years, and it can be amended and renewed at any time.

Furthermore, those rangers and BLM employees who supervise this, any time that there is damage to grazing lands, they have the authority to do something about it. So it is redundant. It is an expense that we do not need to have.

The second problem is that, assuming that it did go forward, there is no way that these can all be done prior to the end of 1995, when these grazing permits expire, and we are faced with the proposition of not having the opportunity to put these animals on public lands, and eventually the impact would be that farmers and ranchers would very likely go out of business.

So, Mr. President, this bill simply says that the NEPA requirements that

go below the Forest Service level would not have to be carried out.

I think it is very consistent with what we are doing here on regulations. It is very consistent with saving a very important economic industries in the West. I urge my fellow Senators to take a look at this bill, particularly those of us from the West, and I urge the support of those who come from outside of the West for the enactment of this important bill.

Because of recent court cases, it has been determined that the U.S. Forest Service must now complete an environmental assessment [EA] or full-blown environmental impact statement [EIS] on all term-grazing permits that expire on December 31 of this year, in order to comply with National Environmental Policy Act [NEPA] guidelines.

This is in addition to the environmental analysis that is already required under NEPA for individual forest plans, which considers grazing, timber sales, mining, oil and gas permits and other actions on Forest Service System lands. This is a redundant process, and since the Forest Service has decided that livestock grazing is a continuation of an existing use for which environmental concerns have been addressed in forest plans, creates an enormous workload burden for the agency.

What is worse, is the fact that no grazing permit will be reissued without the proper environmental evaluations. Forest Service officials will have to scramble to complete all of the work that will be required, and the chances of some permits being altered or dropped altogether are high. This creates a great deal of uncertainty for folks who depend on these permits for grazing livestock as their livelihood.

The bill that I am introducing today corrects this problem by stating that no action needs to be taken under NEPA for renewal of a grazing permit on national Forest Service lands, which was not already addressed in the forest plan.

Nationwide, approximately 4,500 Forest Service grazing permits expire at the end of this year—and within the next 3 years—1995–97—a large majority of grazing permits will expire throughout the country.

In my State of Wyoming, 191 Forest Service grazing permits expire at the end of this year. I have heard from many ranchers who are extremely concerned about this process, and are worried they will not be able to graze their livestock if NEPA compliance is not completed in a timely fashion.

While farmers and ranchers continue to become more productive and more efficient, they are continually faced with increased paperwork and Federal intrusion into their lives.

Likewise, even though President Clinton requested an increase of \$25 million for the Forest Service's fiscal year 1996 budget to help complete NEPA requirements, no permit holder

is safe from losing their grazing privileges.

Mr. President, it is critical for Congress to address this issue and prevent the economic problems that will occur if some relief is not given. With issues such as grazing fees and rangeland reform resurfacing again, it is important to stop this heavy-handed directive, which will put many small- and medium-sized ranchers out of business, and potentially destroy the practice of multiple use on Forest Service lands.

I am proud to sponsor this piece of legislation because farming and ranching are valuable assets to Wyoming and the rest of the Western United States. Besides addressing the short-term crisis that exists with the number of grazing permits set to expire this year, the initiative also addresses the long-term effects for permits expiring in the years to come. I believe we have an excellent opportunity to work with the Forest Service and ranchers alike, on a bipartisan basis, to change this unnecessary burden and restore hope to America's farm and ranch families. I urge my colleagues to support this bill and look forward to working with them in the coming months.

Mr. President, I yield the floor.

By Mr. D'AMATO:

S. 630. A bill to impose comprehensive economic sanctions against Iran; to the Committee on Banking, Housing, and Urban Affairs.

IRAN FOREIGN SANCTIONS ACT

• Mr. D'AMATO. Mr. President, I am introducing the Iran Foreign Sanctions Act of 1995.

Two months ago when I introduced S. 277, the Comprehensive Iran Sanctions Act of 1995, many stated that while a total trade embargo between the United States and Iran, as called for in S. 277, could have a real effect on Iran, the effects on foreign corporations would be negligible. This bill is designed to address this issue.

My legislation will place procurement and export sanctions on any foreign person or corporation that has engaged in any trade with Iran in any goods or technology, as defined in the Export Administration Act of 1979. Simply put, a foreign corporation or person will have to choose between trade with the United States or trade with Iran.

As long as Iran continues to support terrorism, seeks to obtain weapons of mass destruction, and continues its abysmal human rights practices, foreign companies and persons will be proscribed, with only a few exceptions, from trading with the United States.

There is great precedence for this approach and I will list some of these instances:

The Comprehensive Anti-Apartheid Act, which authorizes the President to limit the importation into the United States of any product or service of a foreign country to the extent to which that country benefits from the sanc-

tions imposed on South Africa by this act;

The Foreign Relations Act of 1994, which incorporated the Nuclear Proliferation Prevention Act, providing for a ban on U.S. Government procurement from any third country company which assists another country to acquire nuclear weapons;

Missile Technology Control Regime sanctions attached to the Arms Export Control Act [AECA] and the Export Administration Act [EAA] that denies U.S. Government procurement; licenses for the transfer of any item on the U.S. munitions list [AECA] or the dual-use technologies list [EAA]; and the importation into the United States of any product of the foreign company; and

The AECA also has similar sanctions for chemical and biological weapons proliferation, as does the Iran-Iraq Non-Proliferation Act of 1992, as well as various anti-Arab boycott pieces of legislation.

Mr. President, my legislation has precedent, and as such, I feel is a useful tool to counter those who state that any ban on U.S. companies will only hurt U.S. companies. I want to send the message that when you deal with Iran, you are making a mistake. We cannot afford to provide this brutal regime with the hard currency so vital to its existence. As long as companies trade with Iran, we will have a regime that is capable of supporting terrorism and aggression.

If there is anything that we can learn from last week's revelations of the positioning of Iranian chemical weapons in the Straits of Hormuz, it is that Iran is a dangerous and aggressive nation with which appeasement will not work.

We cannot sit back and wish this entire problem away, we have to take action and send the message to the world that Iran's actions can no longer be tolerated. Until the regime stops these offensive and violent actions, the world will not trade with it or deal with it at all.

Mr. President, I urge my colleagues to support this bill because it is important for the United States and our allies. Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 630

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Iran Foreign Sanctions Act of 1995".

SEC. 2. IMPOSITION OF SANCTIONS ON PERSONS ENGAGING IN TRADE WITH IRAN.

(a) DETERMINATION BY THE PRESIDENT.—

(1) IN GENERAL.—The President shall impose the sanctions described in subsection (b) if the President determines in writing that, on or after the date of enactment of this Act, a foreign person has, with requisite knowledge, engaged in trade with Iran in any goods or technology (as defined in section 16 of the Export Administration Act of 1979).

(2) PERSONS AGAINST WHICH THE SANCTIONS ARE TO BE IMPOSED.—The sanctions shall be imposed pursuant to paragraph (1) on—

(A) the foreign person with respect to which the President makes the determination described in that paragraph;

(B) any successor entity to that foreign person;

(C) any foreign person that is a parent or subsidiary of that person if that parent or subsidiary with requisite knowledge engaged in the activities which were the basis of that determination; and

(D) any foreign person that is an affiliate of that person if that affiliate with requisite knowledge engaged in the activities which were the basis of that determination and if that affiliate is controlled in fact by that person.

(b) SANCTIONS.—

(1) DESCRIPTION OF SANCTIONS.—The sanctions to be imposed pursuant to subsection (a)(1) are, except as provided in paragraph (2) of this subsection, as follows:

(A) PROCUREMENT SANCTION.—The United States Government shall not procure, or enter into any contract for the procurement of, any goods or services from any person described in subsection (a)(2).

(B) EXPORT SANCTION.—The United States Government shall not issue any license for any export by or to any person described in subsection (a)(2).

(2) EXCEPTIONS.—The President shall not be required to apply or maintain the sanctions under this section—

(A) in the case of procurement of defense articles or defense services—

(i) under existing contracts or subcontracts, including the exercise of options for production quantities to satisfy requirements essential to the national security of the United States;

(ii) if the President determines in writing that the person or other entity to which the sanction would otherwise be applied is a sole source supplier of the defense articles or services, that the defense articles or services are essential, and that alternative sources are not readily or reasonably available; or

(iii) if the President determines in writing that such articles or services are essential to the national security under defense coproduction agreements;

(B) to products or services provided under contracts entered into before the date on which the President publishes his intention to impose the sanction;

(C) to—

(i) spare parts which are essential to United States products or production;

(ii) component parts, but not finished products, essential to United States products or production; or

(iii) routine servicing and maintenance of products, to the extent that alternative sources are not readily or reasonably available;

(D) to information and technology essential to United States products or production; or

(E) to medical or other humanitarian items.

(c) SUPERSEDES EXISTING LAW.—The provisions of this section supersede the provisions of section 1604 of the Iran-Iraq Arms Non-Proliferation Act of 1992 (as contained in Public Law 102-484) as such section applies to Iran.

SEC. 3. WAIVER AUTHORITY.

The provisions of section 2 shall not apply if the President determines and certifies to the appropriate congressional committees that Iran—

(1) has substantially improved its adherence to internationally recognized standards of human rights;

(2) has ceased its efforts to acquire a nuclear explosive device; and

(3) has ceased support for acts of international terrorism.

SEC. 4. REPORT REQUIRED.

Beginning 60 days after the date of enactment of this Act, and every 90 days thereafter, the President shall transmit to the appropriate congressional committees a report describing—

(1) the nuclear and other military capabilities of Iran; and

(2) the support, if any, provided by Iran for acts of international terrorism.

SEC. 5. DEFINITIONS.

As used in this Act:

(1) ACT OF INTERNATIONAL TERRORISM.—The term “act of international terrorism” means an act—

(A) which is violent or dangerous to human life and that is a violation of the criminal laws of the United States or of any State or that would be a criminal violation if committed within the jurisdiction of the United States or any State; and

(B) which appears to be intended—

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by assassination or kidnapping.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committees on Banking, Housing and Urban Affairs and Foreign Relations of the Senate and the Committees on Banking and Financial Services and International Relations of the House of Representatives.

(3) FOREIGN PERSON.—The term “foreign person” means—

(A) an individual who is not a United States national or an alien admitted for permanent residence to the United States; or

(B) a corporation, partnership, or other nongovernment entity which is not a United States national.

(4) IRAN.—The term “Iran” includes any agency or instrumentality of Iran.

(5) NUCLEAR EXPLOSIVE DEVICE.—The term “nuclear explosive device” means any device, whether assembled or disassembled, that is designed to produce an instantaneous release of an amount of nuclear energy from special nuclear material that is greater than the amount of energy that would be released from the detonation of one pound of trinitrotoluene (TNT).

(6) DEFINITION.—For purposes of this subsection, the term “requisite knowledge” means situations in which a person “knows”, as “knowing” is defined in section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd-2).

(7) UNITED STATES.—The term “United States” means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(8) UNITED STATES NATIONAL.—The term “United States national” means—

(A) a natural person who is a citizen of the United States or who owes permanent allegiance to the United States;

(B) a corporation or other legal entity which is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if natural persons who are nationals of the United States own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such legal entity; and

(C) any foreign subsidiary of a corporation or other legal entity described in subparagraph (B).•

By Mr. BRADLEY:

S. 631. A bill to prevent handgun violence and illegal commerce in firearms; to the Committee on the Judiciary.

HANDGUN CONTROL AND VIOLENCE PREVENTION ACT

• Mr. BRADLEY. Mr. President, handgun violence is redefining the American way of life. We must own up to this reality and bring desperately needed rationality to our gun laws. This is why I rise today to introduce the Handgun Control and Violence Prevention Act of 1995. This legislation is one more important step in ensuring that the madness of gun violence in this country will be brought to an end.

Every year, more than 24,000 Americans—65 a day—are killed with handguns, in homicides, by committing suicide, and by unintentional injuries. Handguns account for only one-third of all firearms, but are responsible for over two-thirds of all firearm-related deaths. Handguns are used in over 80 percent of all firearm murders. Ninety-five percent of the people injured by a handgun each year require emergency care or hospitalization. Of these, 68 percent require overnight care and 32 percent require a hospital stay of 8 days or more. In 1991, the United States led the developed world with 14,373 gun murders, as compared to 186 gun murders in Canada, 76 in Australia, 60 in England, and 74 in Japan. One difference between the United States and the other countries cited is that the other countries all have much stricter gun control laws.

Mr. President, these statistics are not just idle numbers. A few days ago, Sheila Gillespie, a 65-year-old widowed mother of four, was shot in the forehead when she got out of her car to open her garage door at her home in West Caldwell, N.J. Two carjacking assailants, ages 17 and 19, followed her home, viciously shot her, stole her 1990 Honda and were later apprehended driving the car. Ms. Gillespie, who attended mass every day at her local church and is well-known as an outgoing and friendly person, is currently fighting for her life in an intensive care unit at University Hospital in Newark, N.J.

Moreover, a few days after the senseless shooting in West Caldwell, four people were murdered and another critically injured in an apparent robbery attempt at a postal substation in my hometown of Montclair, N.J. Mr. President, two postal workers, Ernest Spruill and Scott Walensky, and two customers, Robert Leslie and George Lomaga, were forced into a backroom and made to lie down on the floor. They were then shot at point blank range, execution style, with a 9-millimeter Taurus semi-automatic pistol containing a high capacity magazine holding 15 deadly, flesh-ripping Black Talon bullets. A third customer, David

Grossman, entered the post office as the robbery was in progress. He was shot in the face and is currently fighting for his life in the hospital.

Mr. President, the victims of the Montclair massacre were shot by an assault weapon. Because of a bullet from an assault weapon, Mr. President, Blanche Spruill, who telephoned her husband of 34 years, Ernest, at the post office on the day of the murder and got no answer, will never see nor talk to him again. Mr. President, because of a bullet fired from an assault weapon, Scott Walensky will never again see his wife, Mary Ann, or his three children. Mr. President, this is exactly the type of situation we intended to prevent when the assault weapons ban was passed in the 1994 omnibus crime law. Thus, any discussion regarding a repeal of the assault weapons ban must begin with the tragic fact that the wife of Scott Walensky is now a widow and his three children are now fatherless.

Everyone is aware of the devastating gun violence that occurs on the streets of urban America. However, the recent mass murder in Montclair occurred in a community that was described in the recent issue of *New Jersey Monthly* as "a desirable community where parents feel safe allowing young children to ride their bicycles around town." The plague of gun violence has engulfed America, and, Mr. President, the American people want to know one question from their elected officials: When will the spiraling, senseless gun violence occurring in the cities and suburbs of this country cease? This legislation, Mr. President, is an attempt to stop the senseless violence.

Mr. President, some will argue that these grim statistics are the result of weak law enforcement, light sentencing, legitimate fear, and the waning of family values. Others will argue that they are the result of joblessness, poverty, and long-term neglect of our most violent neighborhoods. I have no doubt that the growing rate of violent activity has been aggravated in part by all these factors. However, accepting many of these causes of handgun violence does not erase the reality that crime and deviant behavior have become much more of a burden on our society because of the explosive growth in handguns. Disputes that were settled with fists and knives 10 years ago are now being settled with guns. The number, availability, and destructive ability of handguns has contributed significantly to this tragedy.

Every single handgun used in a crime starts out as a legal gun. However, Mr. President, many of the weapons used in crimes are purchased illegally. The black market in illegal handguns is enormous and deadly. Gunrunners go to States with lax gun control laws, purchase hundreds of guns using fake identification, and then sell them on the street corners of our cities to anyone with available cash. Straw purchasers with clean records often stand in to buy guns for criminals and gun-

runners. We must crack down on these rogue dealers, gunrunners, and straw purchasers. Only then can we prevent the illegal sale and use of guns. Only then can we help drive guns off our streets, out of our schools, and from our communities.

The purpose of this bill, Mr. President, is to make it at least as difficult to use a handgun as it is to drive a car. A gun, like a car, can be a dangerous instrumentality. As such, since we require purchasers of cars to have valid operator's licenses, we should, at the very least, require that the purchaser of a gun obtain a license. Mr. President, when the evidence on the danger of handguns is made clear to us every day, it is irresponsible to allow an instrument which can cause so much physical and psychological damage to be made available to people on such a liberal basis.

This bill makes it illegal to purchase a handgun without a valid, nationally uniform, State-issued handgun license. The license would be similar to a driver's license and consist of an identification card with a photograph. In order to acquire the license, a person would have to undergo a background check, present proof of residency in the State of purchase, get fingerprinted, and pass a handgun safety course offered by a local law enforcement officer. Only new purchases of handguns would require a license. Those who currently possess handguns would not have to acquire a license unless they wanted to purchase more handguns.

To stop the transfer of handguns from strawman purchasers to criminals and others intending to commit crimes, this legislation requires that all handgun transfers be registered with appropriate law enforcement officials. If the person transferring the weapon does not register the transfer, he or she will be in violation of Federal law.

To curb interstate gunrunning, this bill limits the purchase of a handgun by any one person to one gun a month. Mr. President, citizens have the right to possess a gun for personal protection. However, Mr. President, I honestly cannot say that someone who purchases 15 to 20 guns at one time is doing so for personal protection. Mr. President, when this provision goes into effect, maybe Interstate 95 will lose its nickname, the "Iron Road," as it becomes more difficult to run guns from States with little gun control to States, like New Jersey, that already enjoy some of the protections in this bill.

This bill also includes tough standards for Federal firearms dealers licenses. Federally licensed firearms dealers will have to pass strict background checks and meet all State and local laws. This will help guard against rogue gun dealers, who illegally sell thousands of firearms to drug gangs and violent criminals.

Mr. President, this legislation also imposes stiff penalties on gun thieves.

It further requires that dealers provide adequate security against theft from the dealer's place of business.

Mr. President, this bill also increases the licensing fees for federally licensed firearm dealers to \$3,000 over a 3-year period. Today, there are more gun dealers than grocery stores. This is outrageous, and I hope this bill will change that situation.

Mr. President, the first anniversary of the Brady law recently passed. The Bureau of Alcohol, Tobacco and Firearms [ATF] estimates that the number of applications to purchase handguns that were denied in the Brady States nationwide was approximately 41,000. In a survey of selected jurisdictions, ATF found that more than 15,500 persons who applied to purchase handguns, including 4,365 convicted felons and 945 fugitives, had their applications denied.

Of equal importance, Mr. President, is the fact that as a result of enforcement of the Brady law and provisions in the Federal crime bill, there are now more gas stations than gun dealers in this country. As incredible as it sounds, Mr. President, just a few years ago there were more gun dealers than gas stations in America. These encouraging results, Mr. President, indicate that with strong legislation and tough enforcement, we can win the war on senseless gun violence.

In closing, Mr. President, we must continue our fight to end the death and destruction of our children and our families, which is too easily becoming a fact of life in our cities and towns. I urge support for this responsible handgun licensing and registration legislation.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 631

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Handgun Control and Violence Prevention Act of 1995".

SEC. 2. FINDINGS AND DECLARATIONS.

The Congress finds and declares that—

(1) crimes committed with firearms threaten the peace and domestic tranquility of the United States and threaten the security and general welfare of the Nation and its people;

(2) crimes committed with firearms, especially those committed with handguns, have imposed a substantial burden on interstate commerce;

(3) firearms are easily transported across State boundaries and, as a result, individual State action to regulate firearms is made ineffective by lax regulation by other States; and

(4) it is necessary to establish uniform national laws governing all aspects of the firearms industry, requiring handgun licensing and registration, expanding the categories of persons prohibited from possessing firearms, limiting Federal firearms licensees to bona fide importers, manufacturers, and dealers,

and prohibiting the sale of semiautomatic assault weapons and other dangerous weapons.

SEC. 3. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Findings and declarations.
- Sec. 3. Table of contents.

TITLE I—NATIONAL HANDGUN CONTROLS

- Sec. 101. State license required to receive a handgun.
- Sec. 102. Prohibition of multiple handgun transfers.
- Sec. 103. Prohibition of engaging in the business of dealing in handguns without specific authorization; requirement that authorization be provided if applicant demonstrates significant unmet economic demand.

TITLE II—TRACING OF GUNS USED IN CRIMES

- Sec. 201. Dealer assistance with tracing of firearms.
- Sec. 202. Computerization of records.
- Sec. 203. Interstate transportation of firearms.
- Sec. 204. Gun running.
- Sec. 205. Handgun barrel registration.
- Sec. 206. National Firearms Tracing Center.

TITLE III—DEALER RESPONSIBILITY

- Sec. 301. Compliance with State and local firearms licensing laws as condition to issuance of Federal firearms license.
- Sec. 302. Background investigation of licensees.
- Sec. 303. Increased license fees for dealers.
- Sec. 304. Increased penalties for making knowingly false statements in connection with firearms.
- Sec. 305. Dealer inspections.
- Sec. 306. Gun shows.
- Sec. 307. Acquisition and disposition records of dealers suspected of serving as sources of illegal firearms.
- Sec. 308. Dealer responsibility for sales to felons or minors.
- Sec. 309. Interstate shipment of firearms.

TITLE IV—THEFT OF FIREARMS

- Sec. 401. Dealer reporting of firearm thefts.
- Sec. 402. Theft of firearms or explosives.
- Sec. 403. Theft of firearms or explosives from licensee.
- Sec. 404. Security of licensed firearms dealers.

TITLE V—ARMED FELONS

- Sec. 501. Denial of administrative relief from certain firearms prohibitions; inadmissibility of additional evidence in judicial review of denials of such administrative relief for other persons.
- Sec. 502. Clarification of definition of conviction.
- Sec. 503. Enhanced penalty for use of a semiautomatic firearm during a crime of violence or a drug trafficking crime.
- Sec. 504. Violation of firearms laws in aid of drug trafficking.
- Sec. 505. Mandatory penalties for firearms possession by violent felons and serious drug offenders.

TITLE VI—VIOLENT MISDEMEANANTS

- Sec. 601. Prohibition of disposal of firearms or ammunition to, or receipt of firearms or ammunition by, persons convicted of a violent crime or subject to a protection order.

TITLE VII—AMMUNITION

- Sec. 701. Federal license to deal in ammunition.

Sec. 702. Regulation of the manufacture, importation, and sale of certain particularly dangerous bullets.

TITLE I—NATIONAL HANDGUN CONTROLS

SEC. 101. STATE LICENSE REQUIRED TO RECEIVE A HANDGUN.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(y)(1) It shall be unlawful for any person to sell, deliver, or otherwise transfer a handgun to an individual who is not licensed under section 923 unless—

“(A) the transferor (or a licensed dealer, if State law so directs or allows) has verified that the transferee possesses a valid State handgun license by—

“(i) examining the State handgun license; and
“(ii) examining, in addition to the State handgun license, a valid identification document (as defined in section 1028(d)) containing a photograph of the transferee; and

“(iii) contacting the chief law enforcement officer of the State that issued the State handgun license to confirm that the State handgun license has not been revoked; and

“(B) the transferor (or licensed dealer) has provided to the chief law enforcement officer of the State in which the transfer is to take place a completed State handgun registration form for the handgun to be transferred.

“(2) It shall be unlawful for any person to sell, deliver, or otherwise transfer handgun ammunition to an individual who is not licensed under section 923 unless the transferor (or licensed dealer, if State law so directs or allows) has verified that the transferee possesses a valid State handgun license by—

“(A) examining the State handgun license; and

“(B) examining, in addition to the State handgun license, a valid identification document (as defined in section 1028(d)) containing a photograph of the transferee.

“(3) It shall be unlawful for any individual who is not licensed under section 923 to receive a handgun or handgun ammunition unless the individual possesses a valid State handgun license.

“(4) As used in this subsection, the term ‘chief law enforcement officer of the State’ means the chief, or equivalent officer, of the State police force, or the designee of that officer.

“(5) As used in this subsection, the term ‘State handgun license’ means a license issued under a State law that, at a minimum, meets the following requirements:

“(A) The State law provides that—

“(i) the chief law enforcement officer of the State shall issue State handgun licenses, which shall meet such requirements as to form, appearance, and security against forgery as are prescribed by the Secretary in regulations, in accordance with such procedures as are prescribed by the Secretary in regulations;

“(ii) the State handgun license issued to a licensee shall contain—

“(I) the name, address, date of birth, physical description, and a photograph of the licensee; and

“(II) a unique license number; and

“(iii) a State handgun license shall be valid for a period of not more than 2 years from the date of issue, unless revoked.

“(B) The State law provides that a State handgun license may not be issued unless the chief law enforcement officer of the State determines that the applicant—

“(i) is at least 21 years of age;

“(ii) is a resident of the State, by examining, at a minimum, in addition to a valid identification document (as defined in section 1028(d)), documentation such as a utility bill or lease agreement;

“(iii) is not prohibited from possessing or receiving a handgun under Federal, State, or

local law, based upon name- and fingerprint-based research in all available Federal, State, and local recordkeeping systems, including the national instant criminal background check system established by the Attorney General pursuant to section 103 of the Brady Handgun Violence Prevention Act; and

“(iv) has been issued a State handgun safety certificate.

“(D) The State law may authorize the chief law enforcement officer of the State to charge a fee for the issuance of a State handgun license.

“(E) The State law provides that, if the chief law enforcement officer of the State determines that an individual is ineligible to receive a State handgun license and the individual in writing requests the officer to provide the reasons for that determination, the officer shall provide the reasons to the individual in writing not later than 20 business days after receipt of the request.

“(F)(i) The State law provides for the revocation of a State handgun license issued by the chief law enforcement officer of the State if the chief law enforcement officer determines that the licensee no longer satisfies 1 or more of the conditions set forth in subparagraph (B).

“(ii) The State law provides that, not later than 10 days after a person possessing a State handgun license that has been revoked receives notice of the revocation, the person shall return the license to the chief law enforcement officer who issued the license.

“(G)(i) The State law provides that, not later than 24 hours after a State handgun licensee discovers that a handgun has been stolen from or lost by the licensee, the licensee shall report the theft or loss to—

“(I) the Secretary;

“(II) the chief law enforcement officer of the State; and

“(III) appropriate local authorities.

“(ii) The State law shall provide that failure to make the reports described in clause (i) shall be punishable by a civil penalty of not less than \$1,000.

“(6) As used in this subsection, the term ‘State handgun registration form’ means a handgun registration form prescribed under a State law that, at a minimum, meets the following requirements:

“(A) The State law provides that a handgun registration form shall not be considered completed by an individual with respect to a handgun, unless the form contains, at a minimum—

“(i) information identifying the individual, including the name, address, date of birth, and number on the State handgun license issued to the individual; and

“(ii) information identifying the handgun, including the make, model, caliber, and serial number of the handgun.

“(B) The State law provides that the chief law enforcement officer of the State shall furnish information from completed handgun registration forms to Federal, State, and local law enforcement authorities upon request.

“(C) The State law may authorize the chief law enforcement officer of the State to charge a fee for the registration of a handgun.

“(7) As used in this subsection, the term ‘State handgun safety certificate’ means a certificate issued under a State law that, at a minimum, meets the following requirements:

“(A) The State law provides that the chief law enforcement officer of the State shall issue State handgun safety certificates.

“(B) The State law provides that a State handgun safety certificate is not to be issued

to an applicant, unless the chief law enforcement officer of the State determines that the applicant—

“(i) is a resident of the State, by examining, at a minimum, in addition to a valid identification document (as defined in section 1028(d)), documentation such as a utility bill or lease agreement;

“(ii) has completed a course of not less than 2 hours of instruction in handgun safety, that was taught by law enforcement officers and designed by the chief law enforcement officer; and

“(iii) has passed an examination, designed by the chief law enforcement officer, testing the applicant's knowledge of handgun safety.

“(C) The State law may authorize the chief law enforcement officer of the State to charge a fee for the handgun safety course and examination described in subparagraph (B).”

(b) DEFINITION OF HANDGUN AMMUNITION.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following new paragraph:

“(33) The term ‘handgun ammunition’ means—

“(A) a centerfire cartridge or cartridge case less than 1.3 inches in length; or

“(B) a primer, bullet, or propellant powder designed specifically for use in a handgun.”.

(c) REGULATIONS.—Section 926 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(d) The Secretary shall, for purposes of section 922(y), prescribe regulations—

“(1) governing the form and appearance of State handgun licenses;

“(2) establishing minimum standards that such licenses must meet to be secure against forgery; and

“(3) establishing minimum standards that States must meet in issuing such licenses in order to prevent fraud or theft of such licenses.”.

(d) PENALTIES FOR VIOLATIONS OF SECTION 922(y) OF TITLE 18.—Section 924(a)(1)(B) of title 18, United States Code, is amended by striking “or (w)” and inserting “(w), or (y)”.

(e) TECHNICAL CORRECTION TO BRADY ACT.—Section 922(t)(1)(B)(ii) of title 18, United States Code, is amended by inserting “or State law” after “section”.

(f) EFFECTIVE DATE.—The amendments made by this section shall become effective on the date that is 180 days after the date of enactment of this Act.

(g) FUNDING.—

(1) GRANTS FOR ESTABLISHING SYSTEMS OF LICENSING AND REGISTRATION.—The Attorney General shall, subject to the availability of appropriations, make a grant to each State (as defined in section 921(a)(2) of title 18, United States Code) to be used for the initial startup costs associated with establishing a system of licensing and registration consistent with the requirements of section 922(y) of title 18, United States Code, as added by subsection (a).

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under paragraph (1) not more than \$200,000,000, to remain available until expended.

SEC. 102. PROHIBITION OF MULTIPLE HANDGUN TRANSFERS.

Section 922 of title 18, United States Code, as amended by section 101(a), is amended by adding at the end the following new subsection:

“(z)(1) It shall be unlawful for any licensed dealer—

“(A) during any 30-day period, to sell 2 or more handguns to an individual who is not licensed under section 923; or

“(B) to sell a handgun to an individual who is not licensed under section 923 and who

purchased a handgun during the 30-day period ending on the date of the sale.

“(2) It shall be unlawful for any individual who is not licensed under section 923 to purchase 2 or more handguns during any 30-day period.

“(3) Paragraph (1) shall not apply to an exchange (with or without consideration) of a handgun for a handgun.”.

SEC. 103. PROHIBITION OF ENGAGING IN THE BUSINESS OF DEALING IN HANDGUNS WITHOUT SPECIFIC AUTHORIZATION; REQUIREMENT THAT APPLICANT DEMONSTRATES SIGNIFICANT UNMET ECONOMIC DEMAND.

(a) PROHIBITION AGAINST ENGAGING IN THE BUSINESS OF DEALING IN HANDGUNS WITHOUT SPECIFIC AUTHORIZATION.—Section 922(a)(1) of title 18, United States Code, is amended—

(1) by striking “or” at the end of subparagraph (A);

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

“(B) to engage in the business of dealing in handguns, or in the course of such business, to ship, transport, or receive any handgun in interstate or foreign commerce, unless the person is specifically authorized to do so under section 923(d)(2)(A); or”.

(b) REQUIREMENT THAT AUTHORIZATION BE PROVIDED IF APPLICANT DEMONSTRATES THAT IT IS IN THE PUBLIC INTEREST.—Section 923(d) of title 18, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

“(2)(A) The Secretary shall authorize a licensed dealer (or a person whose application for a license to engage in the business of dealing in firearms is required to be approved by the Secretary) to engage in the business of dealing in handguns if the licensed dealer (or the applicant) demonstrates to the Secretary, in accordance with regulations that the Secretary shall prescribe, that there is significant unmet lawful demand for handguns in the market area (as defined by the Secretary) served by the licensed dealer (or to be served by the applicant).

“(B) For purposes of paragraph (3) of this subsection and subsections (e) and (f), a request for authority to engage in the business of dealing in handguns shall be considered to be an application for a license under this section, and the provision of such authority shall be considered to be the issuance of such a license.”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) 2-YEAR GRANDFATHERING OF LICENSED DEALERS.—During the 2-year period that begins on the effective date specified in paragraph (1), the amendments made by this section shall not apply to any person who, on the effective date, is a licensed dealer (as defined in section 921(a)(11) of title 18, United States Code).

TITLE II—TRACING OF GUNS USED IN CRIMES

SEC. 201. DEALER ASSISTANCE WITH TRACING OF FIREARMS.

(a) PROVISION OF RECORD INFORMATION.—Section 923(g) of title 18, United States Code, is amended by adding at the end the following new paragraph:

“(8) Each licensee shall, at such times and under such conditions as the Secretary shall prescribe by regulation, provide all record information required to be kept by this chap-

ter, or such lesser information as the Secretary may specify, as may be required for determining the disposition of a firearm in the course of a law enforcement investigation.”.

(b) NO CRIMINAL PENALTY.—Section 924(a)(1)(D) of title 18, United States Code, is amended by inserting “, except section 923(g)(6)” after “chapter”.

SEC. 202. COMPUTERIZATION OF RECORDS.

Section 926 of title 18, United States Code, as amended by section 101(c), is amended—

(1) in subsection (a), by striking the second sentence; and

(2) by adding at the end the following new subsection:

“(e) The Director of the Bureau of Alcohol, Tobacco, and Firearms shall centralize all records of receipts and disposition of firearms obtained by the Bureau and maintain such records in whatever manner will enable their most efficient use in law enforcement investigations.”.

SEC. 203. INTERSTATE TRANSPORTATION OF FIREARMS.

Section 922(a)(3) of title 18, United States Code, is amended to read as follows:

“(3)(A) for any person not licensed under section 923 to transport a firearm from one State into another State; but

“(B)(i) subparagraph (A) shall not preclude any person who lawfully acquires a firearm by bequest or intestate succession in a State other than the person's State of residence from transporting the firearm into or receiving the firearm in the person's State of residence, if it is lawful for the person to possess the firearm in the person's State of residence; and

“(ii) subparagraph (A) shall not apply to—

“(I) the transportation or receipt of any firearm obtained in conformity with subsection (b)(3);

“(II) the transportation of any firearm acquired in any State before the effective date of this chapter;

“(III) the transportation of any firearm in accordance with section 926A; and

“(IV) the transportation of any firearm, under contract or agreement with a person licensed under section 923, by a person who ships or transports goods in the ordinary course of business;”.

SEC. 204. GUN RUNNING.

(a) PROHIBITIONS.—Section 922 of title 18, United States Code, as amended by section 102, is amended by adding at the end the following new subsection:

“(aa) It shall be unlawful for a person not licensed under section 923 to receive a firearm with the intent to transfer the firearm for profit.”.

(b) PENALTIES.—Section 924(a) of title 18, United States Code, is amended by adding at the end the following new paragraph:

“(6)(A) Except as provided in subparagraph (B), a person who violates section 922(aa) shall be fined under this title, imprisoned not less than 6 months and not more than 3 years, or both.

“(B) A person who violates section 922(aa) with respect to 5 or more firearms during a 30-day period shall be fined under this title, imprisoned not less than 3 years, or both.”.

SEC. 205. HANDGUN BARREL REGISTRATION.

Section 923(i) of title 18, United States Code, is amended—

(1) by inserting “(i)” after “(i)”;

(2) by adding at the end the following:

“(2) Each licensed manufacturer shall, in accordance with regulations prescribed by the Secretary—

“(A) maintain records of the ballistics of handgun barrels made by the licensed manufacturer and of the serial numbers of such barrels; and

"(B) make such records available to the Secretary."

SEC. 206. NATIONAL FIREARMS TRACING CENTER.

(a) **ESTABLISHMENT.**—The Secretary of the Treasury shall establish in the Bureau of Alcohol, Tobacco, and Firearms a National Firearms Tracing Center, which shall be operated for the purpose of tracing the chain of possession of firearms and ammunition used in crimes.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—For the establishment and operation of the National Firearms Tracing Center there are authorized to be appropriated to the Secretary of the Treasury \$20,000,000 for each of fiscal years 1995, 1996, and 1997.

TITLE III—DEALER RESPONSIBILITY

SEC. 301. COMPLIANCE WITH STATE AND LOCAL FIREARMS LICENSING LAWS AS CONDITION TO ISSUANCE OF FEDERAL FIREARMS LICENSE.

Section 923(d)(1) of title 18, United States Code, is amended—

(1) by striking "and" at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(G) in the case of an application for a license to engage in the business of dealing in firearms—

"(i) the applicant has complied with all requirements imposed on persons desiring to engage in such a business by the State and political subdivision of the State in which the applicant conducts or intends to conduct such business;

"(ii) the business to be conducted pursuant to the license is not prohibited by the law of the State or locality in which the business premises is located; and

"(iii) the application includes a written statement that—

"(I) is signed by the chief of police of the locality, or the sheriff of the county, in which the applicant conducts or intends to conduct such business, the head of the State police of such State, or any official designated by the Secretary; and

"(II) certifies that the information available to the signer of the statement does not indicate that the applicant is ineligible to obtain such a license under the law of such State and locality."

SEC. 302. BACKGROUND INVESTIGATION OF LICENSEES.

(a) **IN GENERAL.**—Section 923(d)(1)(B) of title 18, United States Code, is amended—

(1) by inserting "after a thorough investigation of" before "the applicant"; and

(2) by striking "association)" and inserting "association), which investigation shall include checking the applicant's fingerprints against all appropriate compilations of criminal records, the Secretary determines that the applicant".

(b) **INSPECTION OF APPLICANT'S PREMISES.**—Section 923(d)(1) of title 18, United States Code, as amended by section 301, is amended—

(1) by striking "and" at the end of subparagraph (F);

(2) by striking the period at the end of subparagraph (G) and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(H) the Secretary has conducted an inspection of the place at which the applicant is to conduct business pursuant to the license."

(c) **BUSINESS PREMISES REQUIRED OF APPLICANT.**—Section 923(d)(1)(E) of title 18, United States Code, is amended by inserting "business" after "(i)".

(d) **EXTENSION OF PERIOD FOR APPROVING OR DENYING APPLICATION.**—Section 923(d)(3) of

title 18, United States Code, as redesignated by section 103(b), is amended by striking "60-day" and inserting "180-day".

SEC. 303. INCREASED LICENSE FEES FOR DEALERS.

Section 923(a)(3) of title 18, United States Code, is amended to read as follows:

"(3) If the applicant—

"(A) is a dealer in destructive devices or ammunition for destructive devices, a fee of \$2,000 per year; or

"(B) is a dealer not described in subparagraph (A), a fee of \$3,000 for 3 years."

SEC. 304. INCREASED PENALTIES FOR MAKING KNOWINGLY FALSE STATEMENTS IN CONNECTION WITH FIREARMS.

Section 924(a)(3) of title 18, United States Code, is amended by striking "one year" and inserting "10 years".

SEC. 305. DEALER INSPECTIONS.

Section 923(g)(1)(B) of title 18, United States Code, is amended by striking all after "warrant—" and inserting "as necessary to ensure compliance with this chapter, to further a criminal investigation, or to determine the disposition of one or more particular firearms."

SEC. 306. GUN SHOWS.

(a) **PROHIBITION OF CERTAIN HANDGUN TRANSFERS AT GUN SHOWS.**—Section 922(b) of title 18, United States Code, is amended—

(1) by striking "and" at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting "; or"; and

(3) by inserting after paragraph (5) the following new paragraph:

"(6) any handgun to any person who is not a licensed importer, licensed manufacturer, or licensed dealer, at any place other than the location specified on the license of the transferor."

(b) **TECHNICAL AMENDMENTS.**—Section 923 of title 18, United States Code, is amended—

(1) in the first sentence of subsection (j), by inserting ", consistent with section 922(b)(6)," before "temporarily"; and

(2) by redesignating subsection (l), as added by section 110307 of the Violent Crime Control and Law Enforcement Act of 1994, as subsection (j).

SEC. 307. ACQUISITION AND DISPOSITION RECORDS OF DEALERS SUSPECTED OF SERVING AS SOURCES OF ILLEGAL FIREARMS.

Section 923(g)(1) of title 18, United States Code, is amended by adding at the end the following new subparagraph:

"(E) If the Secretary, during a 1-year period, has identified a licensed dealer as the source of 3 or more firearms that have been recovered by law enforcement officials in criminal investigations, or if the Secretary has reason to believe that a licensed dealer is a source of firearms used in crimes, the Secretary may require the dealer to produce any or all records maintained by the dealer of acquisition and disposition of firearms, and may continue to impose that requirement until the Secretary determines that the dealer is not a source of firearms used in crimes."

SEC. 308. DEALER RESPONSIBILITY FOR SALES TO FELONS OR MINORS.

(a) **IN GENERAL.**—Chapter 44 of title 18, United States Code, is amended by inserting after section 922 the following new section:

"§ 922A. Tort liability of licensed dealers

"(a)(1) Any person suffering physical injury arising from a crime of violence (as defined in section 924(c)(3)) in which a qualified firearm is used may bring an action in any United States district court against any qualified licensed dealer for damages and such other relief as the court determines to be appropriate.

"(2) As used in paragraph (1), the term 'qualified firearm' means a firearm that—

"(A) has been transferred by a licensed dealer to a person who—

"(i) has been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year; or

"(ii) has not attained the age of 18 years; and

"(B) is subsequently used by any person in a crime of violence (as defined in section 924(c)(3)).

"(3) As used in paragraph (1), the term 'qualified licensed dealer' means, with respect to a firearm, a licensed dealer who transfers the firearm to a person, knowing or having reasonable cause to believe that the person is prohibited by Federal or State law from receiving the firearm.

"(b)(1) The defendant in an action brought under subsection (a) shall be held liable in tort, without regard to fault or proof of defect, for all direct and consequential damages arising from the crime of violence referred to therein, except as provided in paragraph (2). The court, in its discretion, may award punitive damages.

"(2) There shall be no liability under subsection (a) if it is established by a preponderance of the evidence that the plaintiff suffered the physical injury while committing the crime of violence referred to therein."

(b) **TECHNICAL AMENDMENT.**—The chapter analysis for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 922 the following new item:

"Sec. 922A. Tort liability of licensed dealers."

SEC. 309. INTERSTATE SHIPMENT OF FIREARMS.

Section 922(e) of title 18, United States Code, is amended—

(1) in the first sentence by striking "It shall be" and inserting the following:

"(2) It shall be";

(2) in the second sentence by striking "No common or contract carrier" and inserting the following:

"(3) No common or contract carrier";

(3) by inserting "(1) Any common or contract carrier that undertakes to transport or deliver firearms in interstate or foreign commerce shall, not less frequently than monthly, obtain from the Secretary a list of licensed dealers. The Secretary shall provide to any common or contract carrier, upon request and without charge, a list of licensed dealers and their license numbers." after "(e)";

(4) in paragraph (2), as designated by paragraph (1)—

(A) by striking ", to persons other than licensed importers, licensed manufacturers, licensed dealers, or licensed collectors,"; and

(B) by striking "ammunition" the first place it appears and all that follows through "passenger" and inserting "ammunition—

"(A) without providing written notice to the carrier that the firearm or ammunition is being transported or shipped; and

"(B) if the intended recipient of the package or container is a licensed dealer, providing written notice of the dealer's license number,

except that any passenger"; and

(5) by adding at the end the following new paragraph:

"(4) A common or contract carrier shall be considered to have cause to believe that a shipment of firearms would violate this chapter if it is alleged to the carrier that the intended recipient of the shipment is a licensed dealer and the carrier fails to verify that the intended recipient is a licensed dealer."

TITLE IV—THEFT OF FIREARMS**SEC. 401. DEALER REPORTING OF FIREARM THEFTS.**

Section 923(g)(6) of title 18, United States Code, is amended to read as follows:

“(6) Each licensee shall report to the Secretary, and to the chief law enforcement officer (as defined in section 922(s)(8)) of the locality in which the premises specified on the license is located, any theft of firearms from the licensee, as soon as practicable after discovery of the theft, but in no event later than the close of business on the first business day after the day on which the licensee discovers the theft.”.

SEC. 402. THEFT OF FIREARMS OR EXPLOSIVES.

(a) FIREARMS.—Section 924 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(o) A person who steals any firearm that is moving as, or is a part of, or that has moved in, interstate or foreign commerce shall be fined under this title, imprisoned not less than 2 nor more than 10 years, or both.”.

(b) EXPLOSIVES.—Section 844 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(n) A person who steals any explosive materials that are moving as, or are a part of, or that have moved in, interstate or foreign commerce shall be fined under this title, imprisoned not less than 2 nor more than 10 years, or both.”.

SEC. 403. THEFT OF FIREARMS OR EXPLOSIVES FROM LICENSEE.

(a) FIREARMS.—Section 924 of title 18, United States Code, as amended by section 402(a), is amended by adding at the end the following new subsection:

“(p) A person who steals any firearm from a licensed importer, licensed manufacturer, licensed dealer, or licensed collector shall be fined under this title, imprisoned not more than 10 years, or both.”.

(b) EXPLOSIVES.—Section 844 of title 18, United States Code, as amended by section 402(b), is amended by adding at the end the following new subsection:

“(o) A person who steals explosive materials from a licensed importer, licensed manufacturer, licensed dealer, or any permittee shall be fined under this title, imprisoned not more than 10 years, or both.”.

SEC. 404. SECURITY OF LICENSED FIREARMS DEALERS.

(a) REQUIREMENT.—Section 923 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(m) A licensed dealer shall provide for security against theft of firearms from the dealer's business premises, in accordance with regulations prescribed by the Secretary.”.

(b) DENIAL OF DEALER'S LICENSE.—Section 923(d)(1)(G) of title 18, United States Code, as added by section 301(3), and amended by section 302(b)(2), of this Act, is amended—

(1) by striking “and” at the end of clause (ii);

(2) by striking the period at the end of clause (iii) and inserting “; and”; and

(3) by adding at the end the following new clause:

“(iv) the applicant has provided for security against theft of firearms from the place at which business is to be conducted pursuant to the license, in accordance with regulations prescribed under subsection (m).”.

TITLE V—ARMED FELONS**SEC. 501. DENIAL OF ADMINISTRATIVE RELIEF FROM CERTAIN FIREARMS PROHIBITIONS; INADMISSIBILITY OF ADDITIONAL EVIDENCE IN JUDICIAL REVIEW OF DENIALS OF SUCH ADMINISTRATIVE RELIEF FOR OTHER PERSONS.**

(a) IN GENERAL.—Section 925(c) of title 18, United States Code, is amended—

(1) in the first sentence—

(A) by inserting “(1)” before “A person”;

(B) by inserting “(as defined in section 921(a)(1) (other than an individual))” before “who is prohibited”; and

(C) by striking “his” and inserting “the Secretary's”;

(2) by striking the second and third sentences;

(3) in the fourth sentence—

(A) by striking “A licensed importer” and inserting the following:

“(2) A licensed importer”;

(B) by inserting “person (as defined in section 921(a)(1) (other than an individual)) who is a” before “licensed importer”; and

(C) by striking “his” and inserting “the person's”; and

(4) by amending the fifth sentence to read as follows:

“(3) When the Secretary grants relief to a person under this section, the Secretary shall promptly publish in the Federal Register a notice of the action, which shall include—

“(A) the name of the person;

“(B) the disability with respect to which the relief is granted, and, if the disability was imposed by reason of a criminal conviction of the person, the crime for which, and the court in which, the person was convicted; and

“(C) the reasons for the action.”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to—

(1) applications for administrative relief, and actions for judicial review, that are pending on or after the date of enactment of this Act; and

(2) applications for administrative relief filed, and actions for judicial review brought, on or after the date of enactment of this Act.

SEC. 502. CLARIFICATION OF DEFINITION OF CONVICTION.

Section 921(a)(20) of title 18, United States Code, is amended—

(1) in the first sentence—

(A) by inserting “(A)” after “(20)”; and

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) in the second sentence by striking “What” and inserting the following:

“(B) What”; and

(3) by striking the third sentence and inserting the following:

“(C) A State conviction that has been expunged or set aside, or for which a person has been pardoned or has had civil rights restored, shall not be considered to be a conviction for purposes of this chapter if—

“(i) the expungement, setting aside, pardon, or restoration of civil rights applies to a named person and expressly authorizes the person to ship, transport, receive, and possess firearms; and

“(ii) the State authority granting the expungement, setting aside, pardon, or restoration of civil rights has expressly determined that the circumstances regarding the conviction, and the person's record and reputation, are such that—

“(I) the applicant will not be likely to act in a manner that is dangerous to public safety; and

“(II) the granting of the relief would not be contrary to the public interest.

“(D) Subparagraph (C) shall not apply to a conviction for a violent felony (as defined in

section 924(e)(2)(B)) or a serious drug offense (as defined in section 924(e)(2)(A)).”.

SEC. 503. ENHANCED PENALTY FOR USE OF A SEMIAUTOMATIC FIREARM DURING A CRIME OF VIOLENCE OR A DRUG TRAFFICKING CRIME.

(a) IN GENERAL.—Section 924(c)(1) of title 18, United States Code, is amended by striking “and if the firearm is a short-barreled rifle, short-barreled shotgun” and inserting “if the firearm is a semiautomatic firearm, a short-barreled rifle, or a short-barreled shotgun,”.

(b) SEMIAUTOMATIC FIREARM.—Section 921(a) of title 18, United States Code, as amended by section 101(b), is amended by adding at the end the following new paragraph:

“(34) The term ‘semiautomatic firearm’ means a repeating firearm that—

“(A) utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round; and

“(B) requires a separate pull of the trigger to fire each cartridge.”.

SEC. 504. VIOLATION OF FIREARMS LAWS IN AID OF DRUG TRAFFICKING.

Section 924(j) of title 18, United States Code, is amended to read as follows:

“(j)(1) A person who, with the intent to engage in or to promote conduct described in paragraph (2), violates any provision of this chapter or attempts to do so shall be imprisoned not more than 10 years, fined under this title, or both.

“(2) Conduct is described in this paragraph if it is conduct that—

“(A) is punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.);

“(B) violates any law of a State relating to any controlled substance (as defined in section 102 of the Controlled Substances Act, 21 U.S.C. 802); or

“(C) constitutes a crime of violence (as defined in subsection (c)(3)).”.

SEC. 505. MANDATORY PENALTIES FOR FIREARMS POSSESSION BY VIOLENT FELONS AND SERIOUS DRUG OFFENDERS.

(a) ONE PRIOR CONVICTION.—Section 924(a)(2) of title 18, United States Code, is amended by inserting “, and if the violation is of section 922(g)(1) by a person who has a previous conviction for a violent felony or a serious drug offense (as defined in subsection (e)(2)(A) and (B)), a sentence imposed under this paragraph shall include an additional term of imprisonment of not less than 5 years” before the period.

(b) TWO PRIOR CONVICTIONS.—Section 924 of title 18, United States Code, is amended by adding at the end the following new subsection:

“(q)(1) Notwithstanding subsection (a)(2), a person who violates section 922(g) and has 2 previous convictions by any court for a violent felony (as defined in subsection (e)(2)(B)) or a serious drug offense (as defined in subsection (e)(2)(A)), for which a term of imprisonment exceeding 1 year has been imposed, committed on occasions different from one another shall be fined under this title, imprisoned not less than 10 nor more than 20 years, or both.

“(2) Notwithstanding any other law, the court shall not suspend the sentence of, or grant a probationary sentence to, a person described in paragraph (1) with respect to the conviction under section 922(g).”.

(c) TECHNICAL CORRECTION.—Section 924 of title 18, United States Code, is amended by redesignating paragraph (5), as added by section 110201(b)(2) of the Violent Crime Control

and Law Enforcement Act of 1994, as paragraph (6).

TITLE VI—VIOLENT MISDEMEANANTS

SEC. 601. PROHIBITION OF DISPOSAL OF FIREARMS OR AMMUNITION TO, OR RECEIPT OF FIREARMS OR AMMUNITION BY, PERSONS CONVICTED OF A VIOLENT CRIME OR SUBJECT TO A PROTECTION ORDER.

(a) PROHIBITION OF DISPOSAL.—Section 922(d) of title 18, United States Code, is amended—

(1) by striking “or” at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting a semicolon; and

(3) by inserting after paragraph (8) the following new paragraphs:

“(9) has been convicted in any court of an offense that—

“(A) is punishable by imprisonment for more than 6 months; and

“(B)(i) has, as an element, the use, attempted use, or threatened use of physical force against another person; or

“(ii) by its nature, involves a substantial risk that physical force against a person described in subparagraph (A) may be used in the course of committing the offense; or

“(10) is required, pursuant to an order issued by a court in a case involving the use, attempted use, or threatened use of physical force against another person, to refrain from contact with or maintain a minimum distance from that person.”.

(b) PROHIBITION OF RECEIPT.—Section 922(g) of title 18, United States Code, is amended—

(1) by striking “or” at the end of paragraph (7);

(2) by striking the comma at the end of paragraph (8) and inserting a semicolon; and

(3) by inserting immediately after paragraph (8) the following new paragraphs:

“(9) who has been convicted in any court of an offense that—

“(A) is punishable by imprisonment for more than 6 months; and

“(B)(i) has, as an element, the use, attempted use, or threatened use of physical force against another person; or

“(ii) by its nature, involves a substantial risk that physical force against a person described in subparagraph (A) may be used in the course of committing the offense; or

“(10) who is required, pursuant to an order issued by a court in a case involving the use, attempted use, or threatened use of physical force against another person, to refrain from contact with or maintain a minimum distance from that person.”.

TITLE VII—AMMUNITION

SEC. 701. FEDERAL LICENSE TO DEAL IN AMMUNITION.

(a) DEFINITIONS.—

(1) DEALER.—Section 921(a)(11)(A) of title 18, United States Code, is amended by inserting “or ammunition” after “firearms”.

(2) COLLECTOR.—Section 921(a)(13) of title 18, United States Code, is amended by inserting “or ammunition” after “firearms”.

(3) ENGAGED IN THE BUSINESS.—Section 921(a)(21) of title 18, United States Code, is amended—

(A) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(B) by inserting after subparagraph (D) the following new subparagraph:

“(E) as applied to a dealer in ammunition, a person who devotes time, attention, and labor to engaging in such activity as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of ammunition, but such term does not include a person who makes occasional sales, exchanges, or purchases of ammunition for the

enhancement of a personal collection or for a hobby, or who sells all or part of the person's personal collection of ammunition.”.

(b) PROHIBITIONS.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) (as amended by section 103(a))—

(i) by amending subparagraph (A) to read as follows:

“(A) except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce; or”;

(ii) by striking “; or” at the end of subparagraph (B) and inserting a period; and

(iii) by striking subparagraph (C);

(B) in paragraphs (2), (3), and (5) by inserting “or ammunition” after “firearm” each place it appears;

(2) in subsection (b)(3)—

(A) by inserting “or ammunition” after “firearm” each place it appears; and

(B) by inserting “, or ammunition for a rifle or shotgun,” after “shotgun”;

(3) in subsection (c)—

(A) by inserting “or ammunition” after “firearm” the first, third, fourth, fifth, sixth, and seventh places it appears;

(B) by inserting “or any ammunition other than for a shotgun or rifle,” after “rifle,” the first place it appears; and

(C) by inserting “or ammunition for a shotgun or rifle,” after “rifle,” the second place it appears;

(4) in subsection (e) (as amended by section 309) by inserting “or ammunition” after “firearms” each place it appears; and

(5) in subsection (q)(2)—

(A) in subparagraph (A) by inserting “or ammunition” after “firearm”; and

(B) by adding at the end the following new subparagraph:

“(C) Subparagraph (A) shall not apply to the possession of ammunition—

“(i) on private property not part of school grounds;

“(ii) if the individual possessing the ammunition is licensed to do so by the State in which the school zone is located or a political subdivision of the State, and the law of the State requires that, before an individual obtain such a license, the law enforcement authorities of the State or political subdivision verify that the individual is qualified under law to receive the license;

“(iii) that is in a locked container;

“(iv) by an individual for use in a program approved by a school in the school zone;

“(v) by an individual in accordance with a contract entered into between a school in the school zone and the individual or an employer of the individual;

“(vi) by a law enforcement officer acting in the officer's official capacity; or

“(vii) that is possessed by an individual while traversing school premises for the purpose of gaining access to public or private lands open to hunting, if the entry on school premises is authorized by school authorities.”.

(c) LICENSING.—Section 923 of title 18, United States Code, is amended—

(1) in the first sentence of subsection (a) by striking “importing or manufacturing”;

(2) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by inserting “and ammunition” after “firearms” the first place it appears;

(II) by striking “firearms” the second place it appears; and

(III) by striking “or any licensed importer or manufacturer of ammunition,”; and

(ii) in each of subparagraphs (B)(iii) and (C)(ii) by inserting “or rounds of ammunition” after “firearms”; and

(B) in paragraph (2)—

(i) by inserting “or ammunition” after “firearm”; and

(ii) by inserting “or ammunition” after “firearms”;

(C) in paragraph (8), as added by section 201(a), by inserting “or ammunition” after “firearm”; and

(D) in paragraph (9), as added by section 401, by inserting “or ammunition” after “firearms”;

(3) in subsection (d)(1)(G)(iv), as added by section 404(b), by inserting “or rounds of ammunition” after “firearms”;

(4) in subsection (j)—

(A) by inserting “or ammunition” after “firearms” the second place it appears; and

(B) by inserting “and ammunition” after “firearms” the third place it appears; and

(5) in subsection (m), as added by section 404(a), by inserting “or ammunition” after “firearms”.

(d) PENALTIES.—Section 924 of title 18, United States Code, is amended—

(1) in subsection (g) by inserting “or ammunition” after “firearm”;

(2) in subsection (h) by inserting “or ammunition” after “firearm” each place it appears;

(3) in subsection (o), as added by section 402(a), by inserting “or ammunition” after “firearm”; and

(4) in subsection (p), as added by section 403(a), by inserting “or ammunition” after “firearm”.

(e) INTERSTATE TRANSPORTATION.—Section 926A of title 18, United States Code, is amended—

(1) in the section heading by inserting “and ammunition” after “firearms”; and

(2) in the text by inserting “or ammunition” after “firearm” in the first, second, third, and fourth places it appears.

(f) POSSESSION IN FEDERAL FACILITIES.—Section 930 of title 18, United States Code, is amended—

(1) in the section heading by inserting “, ammunition,” after “firearms”;

(2) by inserting “, ammunition,” after “firearm” each place it appears; and

(3) in subsection (d)(3) by inserting “, ammunition,” after “firearms”.

(g) TECHNICAL AMENDMENTS.—The chapter analysis for chapter 44 of title 18, United States Code, is amended—

(1) in the item relating to section 926A by inserting “and ammunition” after “firearms”; and

(2) in the item relating to section 930 by inserting “, ammunition,” after “firearms”.

SEC. 702. REGULATION OF THE MANUFACTURE, IMPORTATION, AND SALE OF CERTAIN PARTICULARLY DANGEROUS BULLETS.

Section 921(a)(17) of title 18, United States Code, is amended by striking subparagraph (B) and inserting the following:

“(B) The term ‘armor piercing ammunition’—

“(i) means—

“(I) a projectile or projectile core that may be used in a handgun and that is constructed entirely (excluding the presence of traces of other substances) from 1 or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium;

“(II) a jacketed, hollow point projectile that may be used in a handgun and the jacket of which is designed to produce, upon impact, evenly spaced sharp or barb-like projections that extend beyond the diameter of the unfired projectile; or

“(III) a jacketed projectile that may be used in a handgun and the jacket of which

has a weight of more than 25 percent of the total weight of the projectile; but

"(ii) does not include—

"(I) shotgun shot required by Federal or State environmental or game regulations for hunting purposes;

"(II) a frangible projectile designed for target shooting;

"(III) a projectile that the Secretary finds is primarily intended to be used for sporting purposes; or

"(IV) any other projectile or projectile core that the Secretary finds is intended to be used for industrial purposes, including a charge used in an oil or gas well perforating device.".

ADDITIONAL COSPONSORS

S. 44

At the request of Mr. REID, the names of the Senator from Arkansas [Mr. BUMPERS], the Senator from New Hampshire [Mr. SMITH], and the Senator from Delaware [Mr. ROTH] were added as cosponsors of S. 44, a bill to amend title 4 of the United States Code to limit State taxation of certain pension income.

S. 240

At the request of Mr. DOMENICI, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 240, a bill to amend the Securities Exchange Act of 1934 to establish a filing deadline and to provide certain safeguards to ensure that the interests of investors are well protected under the implied private action provisions of the Act.

S. 442

At the request of Ms. SNOWE, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 442, a bill to improve and strengthen the child support collection system, and for other purposes.

S. 524

At the request of Mr. WELLSTONE, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 524, a bill to prohibit insurers from denying health insurance coverage, benefits, or varying premiums based on the status of an individual as a victim of domestic violence and for other purposes.

S. 615

At the request of Mr. AKAKA, the names of the Senator from West Virginia [Mr. ROCKEFELLER] and the Senator from Colorado [Mr. CAMPBELL] were added as cosponsors of S. 615, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to furnish outpatient medical services for any disability of a former prisoner of war.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. NICKLES. Mr. President, I ask unanimous consent that the Finance Committee be permitted to meet on Monday, March 27, 1995, beginning at 9:30 a.m. in room SD-215, to conduct a

hearing on supplemental security income (SSI).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Monday, March 27, 1995, at 2 p.m. to hold a hearing on U.S. dependence on foreign oil.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS UNDER RULE 35, PARAGRAPH 4, REGARDING EDUCATIONAL TRAVEL

Mr. McCONNELL. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD notices of Senate employees who participate in programs, the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The select committee received notification under rule 35 for Margaret Cohen, a member of the staff of Senator KASSEBAUM, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 10 to April 19, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. Cohen in this program.

The select committee received notification under rule 35 for Martha James, a member of the staff of Senator INHOFE, to participate in a program in Korea sponsored by the A-san Foundation from April 16 to April 22, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Ms. James in this program.

The select committee received notification under rule 35 for Steven Shimberg, a member of the staff of Senator CHAFEE, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 8 to April 20, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Shimberg in this program.

The select committee received notification under rule 35 for Kelly Johnston, a member of the staff of Senator NICKLES, to participate in a program in China sponsored by the Chinese People's Institute of Foreign Affairs from April 9 to April 23, 1995.

The committee determined that no Federal statute or Senate rule would prohibit participation by Mr. Johnston in this program.

ADDITIONAL STATEMENTS

THE VISIT OF NEW ZEALAND'S PRIME MINISTER

• Mr. THOMAS. Mr. President, I would like to take this opportunity to call my colleagues' attention to the visit to the United States this week of New Zealand's Prime Minister, the Rt. Hon. James Bolger. This is the first visit of a sitting Prime Minister to our country in over a decade.

New Zealand and the United States have had traditionally close relations based largely on shared cultural ties to Great Britain and security concerns in the South Pacific. We have been close allies in both world wars, and New Zealand has participated with us and Australia in the regional ANZUS security alliance. We both participate in such economic organizations as APEC [Asia Pacific Economic Corporation], PECC [Pacific Economic Cooperation Council], and the PBEC [Pacific Basin Economic Committee].

But the relationship has not been without its tensions. The primary focus of United States-New Zealand relations over the last 10 years has revolved around port visits nuclear by armed and powered United States Navy ships. In the mid-1980's, New Zealand enacted legislation declaring the country a nuclear-free zone. As a result, United States nuclear powered or armed Navy ships were banned from New Zealand ports. Since it is not U.S. policy to identify which ships are or are not nuclear—some 40 percent are—the effect was to prohibit any port calls by our Navy. Washington retaliated by formally abrogating our defense treaty relationship with New Zealand, ceasing to share intelligence information, and cutting off all high-level ties between governments.

Mr. President, while this issue is one of importance in our bilateral relationship and thus should not be swept under the rug, I choose not to dwell on it today for several reasons. First, it is not the only facet to our relationship. The rift has narrowed somewhat over the years; and in spite of it, we have continued to work side-by-side with New Zealand on other security issues. New Zealand has been an active participant in a series of peacekeeping missions, and fought with American troops in the gulf. More recently, New Zealand was the first country to make a monetary contribution to KEDO in furtherance of the agreed framework with North Korea.

In addition, New Zealand has made important and impressive economic strides over the past decade which deserve our attention. In the 1950's, New Zealand was one of the world's five wealthiest countries; but by the late 1970's, it had fallen to near 20th. The reason appears to have been the country's economic policies which bordered on almost Socialist central-market control. New Zealand had one of the